



PARC
POLICE ADVISORY &
REVIEW COMMITTEE

2019 PARC Annual Report



CITY OF KNOXVILLE

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Creation of PARC

Mission & Purpose

Police Advisory & Review Committee

PARC was created by Executive Order on September 22, 1998 and was adopted by City Ordinance on May 29, 2001. It is designed to be an independent agency with the authority to review and/or investigate allegations of misconduct filed by the public against the Knoxville Police Department (KPD).

The Committee is composed of seven residents of Knoxville, appointed by the Mayor and approved by City Council for a term of three years. No member may serve more than two (2) consecutive terms.

Mission

The mission of the Police Advisory and Review Committee (PARC) is to provide Knoxville residents a civilian-oversight committee to audit the discipline process and the policies and procedures of the Knoxville Police Department.

Purpose

The purpose is to strengthen the relationship between the Knoxville citizens and the KPD, to assure timely, fair and objective review of citizen complaints while protecting the individual rights of police officers, and to make recommendations concerning citizen complaints to the Chief of Police and to the Mayor.



COMMITTEE MEMBERS

Committee Members

Police Advisory & Review Committee 2019



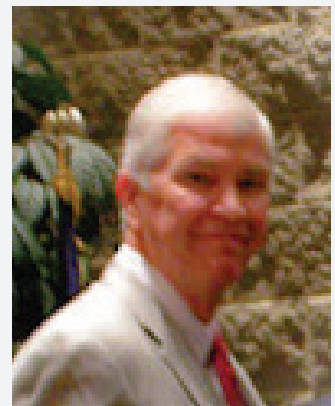
Rosa Mar, Chairperson



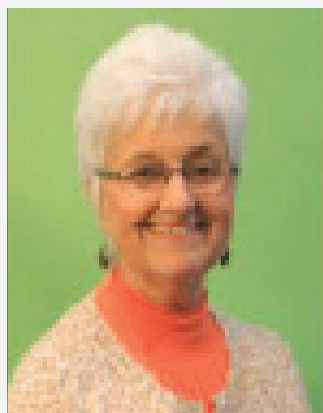
LaKenya Middlebrook,
Vice Chairperson



Leticia Flores, Ph.D.



Robert Gibson



Ann Barker



Jered Croom



Frank Shanklin, Jr.

PARC Committee Members

Term Status
December 31, 2019

TERM STATUS OF COMMITTEE MEMBERS

Rosa Mar Community Volunteer	<i>Term to Expire June 30, 2021</i>
LaKenya Middlebrook, Esq. Attorney	<i>Term to Expire June 30, 2022</i>
Jered Croom Social Worker	<i>Term to Expire June 30, 2020</i>
Leticia Flores, Ph.D. Associate Professor	<i>Term to Expire June 30, 2022</i>
Ann Barker, Esq. Attorney	<i>Term to Expire June 30, 2021</i>
Robert Gibson Retired FBI Agent	<i>Term to Expire June 30, 2020</i>
Frank Shanklin Entrepreneur	<i>Term to Expire June 30, 2022</i>



CHAIRMAN'S REPORT

Chair Report

Police Advisory & Review Committee
400 Main Street, Suite 538
Knoxville, Tennessee 37902

Rosa Mar
Chairperson

Lakenya
Middlebrook
Vice Chairperson

Frank Shanklin

Jared Croom
Leticia Flores, Ph.D.

Robert Gibson
Ann Barker

Staff:
Clarence Vaughn, III
Executive Director

Ola Blackmon -
McBride
Executive Assistant

Phone:
(865) 215-3869

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cvaughn@knoxvilletn.gov



Established by

Executive Order
September 22, 1998

&

Adopted by
City Ordinance

May 29, 2001

December 31, 2019

The Honorable Indya Kincannon, Mayor
Knoxville City Council
Eve Thomas, Chief of Police

Dear Mayor Kincannon, Council Members, and Chief Eve Thomas:

Enclosed is the 2019 annual report of the Police Advisory and Review Committee (PARC) prepared in accordance with the City of Knoxville Ordinance Number 0-194-01 adopting the Police Advisory and Review Committee (PARC or the Committee) approved May 29, 2001.

In 2019, PARC received 85 cases, which is the same number received in 2018. The similarities in case numbers from 2019 suggest that the Knoxville community has faith that citizens' concerns and complaints against KPD are being addressed fairly and comprehensively. Despite this positive outlook, PARC pledges to maintain its vigilance in resolving issues and complaints to improve upon the relationship between KPD and the community it serves.

PARC closed a total of 79 citizen complaints in 2019. Of the closed cases, 53 were resolved by the Executive Director, two were resolved through mediation by the Executive Director and KPD, 11 were referred to appropriate agencies and 13 were resolved by KPD.

The Executive Director, with the encouragement of the Committee, has been proactive in participating and seeking out meetings with citizens outside of the PARC office to promote the program, discuss concerns, complaints, and to develop plans for successful resolutions.

The Executive Director makes himself available to enlighten citizens about the KPD Internal Affairs Unit formal complaint referral process and discuss related issues when the resident does not trust the process or is unsure. The Executive Director also encourages mediation between citizens and officers to resolve issues including understanding of laws, perceptions of professional behavior, lack of communication, and words or actions that are perceived as threatening or disrespectful. Additionally, he continues to assist residents and neighborhood groups in resolving their complaints by working with police officers and KPD Units to construct a plan to concentrate on current neighborhood and individual concerns.

The Executive Director continues to build strong relationships with law enforcement and criminal justice agencies, such as Knox County Sheriff's Office, Knox County

Chair Report

District Attorney's Office, Knox County Public Defender Community Law Office, Tennessee Bureau of Investigation, and the Federal Bureau of Investigation. PARC has maintained an ongoing relationship with the University of Tennessee College of Sociology, which provides an intern to research and learn about Civilian Oversight and services provided by PARC. Students are involved in completing important tasks related to documenting KPD's Response to Resistance Reports and PARC's Quarterly Report information. They are also provided with an opportunity to meet with leaders in law enforcement and criminal justice.

PARC members have reviewed and discussed during quarterly meetings a total of 12 Internal Affairs Cases and 11 Referral Action Forms provided by the Internal Affairs Unit of the Knoxville Police Department. When additional information was needed, PARC members submitted case evaluation forms with detailed questions pertaining to cases reviewed. The Knoxville Police Department, Internal Affairs Unit has responded to the questions posed by PARC members. PARC members concurred with the findings in each of the cases reviewed, excluding one for the period ending in 2019. The leading nature of complaints were as follows: Unprofessional Conduct, Rudeness, Harassment, and Citizen's Advocate. The nature of complaints is outlined by the types of incidents reviewed by the Executive Director and PARC members.

Throughout the year, the Committee and the Executive Director strive to improve coordination and communication with the Internal Affairs Unit and senior staff of the KPD. KPD's participation in quarterly PARC meetings coupled with their willingness to answer questions and meet with residents as a result of issues brought up at the meetings continues to be commendable. PARC's three subcommittees monitor cases specifically reviewing racial profiling, KPD audio/video equipment usage, and trends in complaints. The Executive Director meets with KPD's Internal Affairs staff regularly to discuss concerns and to obtain clarification on specific cases.

PARC's 2019 quarterly meetings were held in various sectors of the city as follows: Knox County Public Defender's Community Law Office, Regal Cinemas Headquarters, Knoxville College, and City County Building. Attendance and participation has continued to improve and the dialogue between committee members, residents, and KPD officers has been helpful and beneficial to all participants. PARC has been very fortunate to have the continued support of residents who attend the quarterly meetings. Many of these regular attendees conduct their own recruitment efforts to increase the number of attendees, for which PARC is very appreciative.

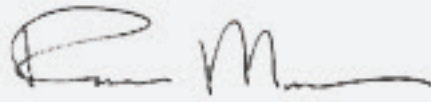
On a final note, please be assured that PARC strives to ensure that its procedures, operations and communications are always courteous, respectful and in full compliance with the Tennessee Open Records Act, as well as other statutes and ordinances. As always, the Committee welcomes any input from the Mayor, City Council, Knoxville Police Department, and Knoxville residents. Any concerns or issues raised will be addressed and responded to in a timely manner. Attached to



Chair Report

this letter is a comparative report of matters addressed by PARC and its Executive Director for the years 2018 and 2019.

Sincerely,



Rosa Mar, Chairperson
Police Advisory and Review Committee



EXECUTIVE DIRECTOR'S LETTER

Executive Director's Letter



Since its creation, PARC has continued to champion citizen concerns and address issues in a timely manner. Over the past year we were able to work closely with PARC committee members and community leaders in voicing resident's concerns and improving relationships with the Knoxville Police Department.

By focusing on areas that involve the review of allegations of misconduct and behaviors of the Knoxville Police Department, PARC remains committed to its primary goal of enhancing citizen awareness and involvement in issues that impact their neighborhoods and communities.

PARC continues to host quarterly meetings to ensure that residents of Knoxville are provided a platform to openly discuss and address concerns. In addition, PARC is very thankful for the training sessions provided by the Knoxville Police Department during our quarterly meetings. The training sessions are geared towards discussions related to public safety, investigative practices and community involvement.

In the coming year, PARC plans to remain actively involved in community-led groups and organizations that are focused on the betterment of the city of Knoxville. The civilian oversight provides community members and law enforcement officers with effective ways to enhance transparency and review best practices in maintaining a welcoming environment for all residents.

As Executive Director of the Police Advisory Review Committee, I would like to thank our Knoxville City Mayor, City Council, and the Knoxville Community for their continued support and involvement.

Respectfully,



Clarence L. Vaughn III
Executive Director
Police Advisory and Review Committee



REPORT OF OPERATIONS

Report of Operations

January 1, –
December 31, 2019



POLICE ADVISORY AND REVIEW COMMITTEE CITY OF KNOXVILLE

	1/01/18 - 12/31/18	1/01/19 - 12/31/19
1. TOTAL CASES BROUGHT TO PARC 9/22/98 TO PRESENT: 2579	85	85
2. TOTAL CASES CLOSED 9/22/98 TO PRESENT: 2555	87*	79
A) Resolved by Executive Director	49	53
B) Resolved by Mediation Executive Director & KPD	4	2
C) Referrals to Appropriate Agencies	2	11
D) Resolved by KPD	22	13
E) Resolved by Executive Assistant	0	0
F) Resolved by Executive Assistant & KPD	0	0
3. TOTAL CASES PENDING	0	6
4. PARC Cases Referred to KPD Internal Affairs Unit (IAU) for the year	4	3
5. IAU Cases Reviewed by PARC Executive Director & Committee	15	23
A) IAU Cases	9	12
B) IAU Referral Action Forms	6	11
6. IAU case conclusions concurred with the Executive Director & Committee without further review or questions	15	22
7. IAU case conclusions not concurred with the Executive Director or Committee members	0	1
8. IAU cases reviewed by the Executive Director & Committee with additional information requested	11	16

PARC ORIGIN OF CASE COMPLAINANTS
Ethnic/Gender Origin of Case Complaints Received

1/01/2018-12/31/2018			1/01/2019 – 12/31/2019	
Ethnic Background/ Origin	Total #	%	Total #	%
White Male	20	23%	19	22%
White Female	23	26%	23	27%
Total	43	49%	42	49%
African-American Male	15	17%	18	21%
Africa-American Female	19	22%	14	16%
Total	34	39%	32	38%
Hispanic Male	0	0%	3	4%
Hispanic Female	2	2%	0	0%
Total	2	2%	3	4%
Asian Male	0	0%	0	0%
Asian Female	0	0%	1	1%
Total	0	0%	1	1%
Native American Male	0	0%	0	0%
Native American Female	0	0%	0	0%
Total	0	0%	0	0%
Unknown Male	0	0%	0	0%
Unknown Female	5	6%	0	0%
Unknown	3	3%	2	2%
Total	8	9%	2	2%
Other Male	0	0%	2	2%
Other Female	0	0%	3	4%
Total	0	0%	5	6%
TOTAL	87	100%	85	100%

PARC NATURE OF CASES (YEAR-TO-DATE)
01/01/19–12/31/2019

(Note: Some complaints involve more than one type of allegation; therefore, the total may exceed the total number of complaints received)

Nature of Cases

Assault (Alleged or Attempted)	1
Citizen's Advocate (PARC addressing public safety and citizen concern)	6
Conduct Toward The Public	1
Conflict of Interest	1
Discrimination	1
Discrimination: Age	1
Dissemination of Information	1
Employee Misconduct	1
Excessive Force	1
Failure to Arrest Person(s) Responsible for Crime	2
Failure to Make An Arrest	1
Failure to Perform Duty (In a Timely Manner)	1
Failure to Perform/Provide Duty or Services	5
Failure to Provide a Citation	1
Failure to Report Investigative Outcome to Complainant	3
Failure to Respond to Call/Inappropriate Police Response to Call	1
Failure to Return Personal Items/ Money, Items Taken By Officer	3
Failure to Submit Department Report	2
Failure/Refusal to Make/Complete A Report	1
False Accusation/Reputation Damaged by Investigation	1
Harassment	6
Illegal Search & Seizure	2
Illegal Towing of Vehicle	1

Improper/Inappropriate Police Action	2
Improper/Inappropriate Police Action -Not Operating Vehicle in a Safe Manner	1
Improper/Inappropriate Police Action -Running Red Light/Stop Sign	1
Inaccurate Accident/Incident Report or Biased	2
Inaccurate Information on Citation	2
Inappropriate/Unprofessional Conduct (Laughing, Profanity, Over-Reaction)	2
Intimidation of a Minor	1
Intimidation/Antagonize	1
KPD Lack of Enforcement : Loitering	1
Performance of Duty	1
Police Misconduct	3
Profiling: Other	1
Rudeness – Courtesy Violation – Disrespectful Attitude	6
Racial Profiling	4
Unbecoming/Unprofessional Conduct	9
Unfair Treatment	1
Unlawful/Illegal Citation	1
Unnecessary Arrest	4
Unsatisfactory Performance	1
Use of Force/Assault	1
Violation of Civil Rights	1
Wrongfully Arrested	1
Total	92



CITY OF KNOXVILLE

POLICE ADVISORY
&
REVIEW COMMITTEE

ORDINANCE NO: 0-194-01

Ordinance No:
0-194-01

ARTICLE X. - POLICE ADVISORY AND REVIEW COMMITTEE

Sec. 2-1101. - Title and Authority.

- (a) There is hereby created the police advisory and review committee for the city.
- (b) The police advisory and review committee is established pursuant to the council's authority under article II, § 234 of the Charter of the city and § 2-7 of the Code of Ordinances of the city.

Sec. 2-1102. - Purpose.

The purpose of the police advisory and review committee is to strengthen the relationship between the citizens of the city and the city police department, to assure timely, fair and objective review of citizen complaints while protecting the individual rights of police officers, and to make recommendations concerning citizen complaints to the chief of police, the mayor and to the council.

Sec. 2-1103. - Members of the committee.

- (a) The committee shall consist of seven (7) members, who shall:
 - (1) Possess a reputation for fairness, integrity and responsibility and have demonstrated an active interest in public affairs and service;
 - (2) Be qualified to vote in Knox County, Tennessee; and
 - (3) Not be a current employee of any governmental body except for those employed in the field of education.
- (b) All committee members shall be appointed by the mayor and confirmed by the council. Initial appointments to the committee shall be made for the following terms:
 - (1) Two (2) members of the committee shall be appointed for one-year terms;
 - (2) Two (2) members of the committee shall be appointed for two-year terms; and
 - (3) Three (3) members of the Committee shall be appointed for three-year terms.

All subsequent appointments, except to fill vacancies, shall be for three-year terms. Vacancies occurring other than through the expiration of terms shall be filled for the remainder of the term of the member being replaced. No member appointed pursuant to this article may serve more than two (2) consecutive terms. Upon making the initial appointments to the committee, the mayor shall designate one (1) member of the committee to convene the first regular meeting of the committee. At its first regular meeting, the committee shall elect one of its members to serve as chairman. The chairman shall serve a term of one year or until a successor is elected. The chairman may appoint such other officers as deemed appropriate.

- (c) Upon the recommendation of the majority of the committee or upon his own volition, the mayor, with approval of the council, may remove any member of the committee for official misconduct or neglect of duty including but not limited to neglect of any duty specifically enumerated in subsection (f) below. In addition, members who fail to attend three (3) consecutive



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regular meetings may be considered to have vacated their positions and may be replaced, as provided for herein. Members who cease to have the qualifications provided in subsection (a) of this section shall be deemed to have forfeited their position.

(d) No member of the committee shall receive compensation for services performed.

(e) Within six (6) months of being appointed to the committee, each member shall complete the citizen's police academy course offered by the city police department and such other training as may be deemed appropriate by the chief of police.

(f) Members of the committee shall at all times:

(1) Obey all laws regarding an individual's right to privacy and confidentiality of records;

(2) Maintain the integrity of internal affairs unit files, personnel files or other files, records or tapes received as a result of the work of the committee;

(3) Excuse themselves from participating in the review of any complaint in which they have a personal, professional or financial conflict of interest; and

(4) Conduct themselves at all times in a manner that will maintain public confidence in the fairness, impartiality and integrity of the committee, and refrain from making any inappropriate or prejudicial comments regarding any matter being reviewed by the committee or which may be reasonably expected to be reviewed by the committee.

Sec. 2-1104. - Committee staff.

(a) The committee shall be served by an executive director who is selected by the mayor and approved by the committee. Upon employment, the executive director shall be designated as a non-classified exempt employee of the department of community relations of the city. The executive director shall be provided with any necessary support staff or services that may be required in order to fulfill the duties and responsibilities of the position.

(b) The executive director shall be furnished with adequate office space, equipment and supplies to carry out duties imposed by this article.

(c) The executive director shall:

(1) Possess a reputation for fairness, integrity and responsibility and have demonstrated an active interest in public affairs and service;

(2) Be qualified to vote in Knox County, Tennessee;

(3) Not be a former employee of the city police department or the county sheriff's department; and

(4) Possess prior investigative experience such as would be possessed by an attorney or a law enforcement officer.

(d) The executive director shall at all times:

(1) Obey all laws regarding an individual's right to privacy and confidentiality of records;

(2) Maintain the integrity of Internal Affairs Unit files, personnel files or other files, records or tapes received as a result of the work of the committee;

(3) Excuse himself from participating in the review of any complaint in which he has a personal, professional or financial conflict of interest;

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- (4) Conduct himself at all times in a manner that will maintain public confidence in the fairness, impartiality and integrity of the committee, and refrain from making any inappropriate or prejudicial comments regarding any matter being reviewed by the committee or which may be reasonably expected to be reviewed by the committee; and
- (5) Comply with all rules and regulations applicable to other employees of the city.

Sec. 2-1105. - Powers and duties of the Executive Director.

(a) The executive director shall accept written, sworn complaints from members of the public regarding misconduct of police officers and shall forward these complaints to the commander of the internal affairs unit of the city police department (IAU) within three (3) working days. Upon receipt of any such complaint, the IAU shall immediately undertake an investigation of the allegations pursuant to the standard operating procedures of the city police department. The executive director may also accept unsworn or anonymous complaints and shall either attempt to resolve such complaints or, if warranted, refer the complaints to the IAU for investigation.

(b) Upon notification by the commander of the IAU that an investigation of an allegation of police misconduct is closed, whether such investigation was prompted by a complaint received by the executive director or otherwise, the executive director shall review the IAU file or the referral action form and determine whether the investigation is complete.

(1) If the executive director finds that the investigation is complete, he shall so report to the committee at its next regularly scheduled meeting, attaching to his report a copy of the IAU case summary or the referral action form and any documentation of disciplinary action pertaining thereto.

(2) If the executive director finds that the investigation is not complete, he shall so report to the committee at its next regularly scheduled meeting and shall include in his report an explanation of the specific information needed in his opinion for the investigation to be complete.

(c) At each of the regularly scheduled meetings of the committee, the executive director shall provide a report to the committee that details the resolution of any unsworn or anonymous complaints that the executive director is able to resolve without any investigation by the IAU.

(d) The executive director, in his discretion, may request legal services and advice from the law department. Where, in the judgment of the law director, the provisions of legal services and advice would constitute a conflict of interest with the law department's duties to the city or any department thereof, the law director shall so advise the executive director, who may then request the law director to provide outside counsel to the executive director.

(e) The executive director shall ensure the proper recording of the minutes of the committee, shall be responsible for the maintenance of proper records and files pertaining to committee business, and shall receive and record all exhibits, petitions, documents, or other materials presented to the committee in support of or in opposition to any question before the committee. The executive director shall also be responsible for complying with all statutes and city ordinances regarding notice of meetings and for

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providing complainants with information regarding the complaint process.

(f) The executive director shall be a notary public and shall be responsible for administering oaths to complainants and to witnesses.

(g) The executive director shall compile information concerning complaints of police misconduct and any information relevant thereto, whether such complaints are received by the IAU or by the executive director, and shall include such information in an annual report to the mayor, the chief of police and the council of the committee's activities.

Sec. 2-1106. - Powers and duties of the committee.

(a) The committee shall review all reports of the executive director submitted in accordance with the provisions of subsections 2-1105(b) and (c).

(b) After a finding by the executive director that an investigation is not complete, the committee, by a majority vote of its members, may:

(1) Request the chief of police to conduct a further investigation of the incident specifying additional information needed; or

(2) In the event the chief of police fails to conduct a further investigation as requested by the committee, direct the executive director to further investigate the incident.

Any additional investigative findings shall be reported to the committee. Upon completion of its inquiry, the committee shall report its written findings and conclusions to the chief of police, the mayor and the council.

(c) As it deems necessary to conduct its affairs in furtherance of its mandate, the committee shall have access to all public records of the city, including those of the city police department. Such records may include, but are not necessarily limited to, complaints and supporting documents provided by complainants, offense, incident and arrest reports, incident-related documents such as schedules, dispatch notes, dispatch tapes and transcriptions, citations, photographs and records of interviews with complainants, employees, and witnesses. The committee shall not have access to any nonpublic records of the city, including employee medical records, or any records that are otherwise exempt from disclosure.

(d) Based upon any specific findings and conclusions of the committee, the committee shall have the authority to make recommendations to the chief of police designed to improve police policies and activities and to benefit the community. The chief of police or his designee shall attend all meetings of the committee to provide information and advice to the committee and to accept the recommendations of the committee, if any.

(e) The committee shall, at least annually, compile a comprehensive report on its activities. The report shall contain statistics and summaries of citizen complaints, including a comparison of the committee's findings and conclusions with those of the IAU, along with the actions taken by the chief of police. The committee's annual report shall be submitted to the executive director for inclusion in his annual report to the chief of police, the mayor and the council.

(f) The committee, in its discretion, may request legal services and advice from the law department. Where, in the judgment of the law director, the provisions of legal services and advice would constitute a conflict of interest with the law department's duties to the city or any department thereof, the law director shall so advise the committee. The committee may then request the law director to provide outside counsel to the committee. In



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addition, where the executive director excuses himself from participating in the review of a complaint pursuant to § 2-1104(d)(3), the committee may petition the mayor to appointment a temporary assistant to perform the duties of the executive director.

Sec. 2-1107. - Procedure.

- (a) The committee shall adopt rules of procedure for the transaction of committee business not inconsistent with the letter and intent of this article.
- (b) Four (4) members of the committee shall constitute a quorum. No meeting of the committee shall commence or continue in the absence of a quorum, and a majority vote of those forming a quorum shall be required for any action by the committee except where otherwise specified in this article.
- (c) Regular meetings of the committee shall be held no less than quarterly, on the first Wednesday of January, April, July and October or as the committee may otherwise elect. Any scheduled meeting may be rescheduled at the preceding regular meeting. The chairman and any three (3) members of the committee may call a special meeting of the committee upon at least five (5) day's notice.
- (d) Committee meetings and records shall be open to the public. The committee shall provide an opportunity for public comment as to any investigation being reviewed by the committee pursuant to rules and regulations established by the committee.
- (e) The committee shall have the power to subpoena witnesses to the IAU or to the executive director, as appropriate, and may utilize such power only when necessary to compel witnesses to provide statements in furtherance of an investigation.

Sec. 2-1108. - Limitations.

- (a) The committee shall not review any investigation:
 - (1) Concerning any incident occurring prior to September 22, 1998;
 - (2) Prior to the closure of any IAU or criminal investigation;
 - (3) While the complainant, the officer(s) complained of, or any witness is actively engaged in pursuing any remedy provided by the rules and regulations of the civil service merit board of the city; or
 - (4) Where the complainant has initiated, threatened or given notice of the intent to initiate litigation against the city or any of its employees.
- (b) The committee shall have no authority to direct the chief of police to alter or to impose any disciplinary action against any employee of the city police department.